(58) 91 (293)

HOUSE OF REPRESENTATIVES, UNITED STATES
WASHINGTON, D.C.

December 14, 1977, 19...

Department of Congressional Relation
Department of State
2201 C Street N. W. Room 7261
Washington, D. C. 20520

5 ACTION is assigned to NEA

The attached communication is submitted for your consideration, and to ask that the request made therein be complied with, if possible.

If you will advise me of your action in this matter and have the letter returned to me with your reply, I will appreciate it.

Your comments would be greatly appreciated.

DEPARTMENT OF STATE A/CDC/MR
REVIEWED BY Nelwood DATE 04/26/82
RDS☐or XDS☒XT. DATE
TS AUTH. REASON(S)
ENDORSE EXISTING MARKINGS ☐
DECLASSIFIED☒ RELEASABLE☒
RELEASE DENIED☐
PA or FOL EXEMPTIONS

Very truly yours,

Arlan Stangeland M.C.
Minnesota's Seventh District.

Re: requests comment on attack of USS Liberty by Israelis 1967

From: Ted Rowell, Jr.

(4) UNCLASSIFIED

Arlan, can you get answers to the questions I raised here?

SPOTLIGHT, October 3, 1977

CIA Confirms Spotlight: *Israeli Attack on 'US*

••• EXCLUSIVE TO SPOTLIGHT

WASHINGTON—The 1967 attack on the "USS berty" by the Israeli air force was no "mistake" t a deliberate act carried out on the direct order Moshe Dayan, according to the Central Intelli- nce Agency (CIA).

The CIA report confirms an exclusive article in e SPOTLIGHT which appeared in the issue of ril 16, 1976. In this article, The SPOTLIGHT re- led that the Israeli attack was "deliberate."

The CIA report has been suppressed for the past years as part of a massive coverup by the federal vernment. It was made public September 18 by American Palestine Committee.

Dayan personally ordered the attack on the ," the CIA reported on Nov. 9, 1967—five nths after the Israeli raid on June 8 which killed American seamen. Israel and the late Sen. Rob- Kennedy (D-N.Y.) rushed to explain the attack "tragic mistake" at the time. The coverup has tinued since Israel has never paid, as promised, he vessel, some $7 million.

he CIA documents, obtained by the committee ugh the Freedom of Information Act, confirm ence obtained by The SPOTLIGHT in Novem- 1976, that the formal Naval Board of Inquiry rigged as part of the international coverup. SPOTLIGHT refrained from publishing the t until now.

e transcript, classified as top secret for years, also obtained under the Freedom of Informa-

President Carter with Moshe Dayan, who ordered the attack on the "USS Liberty" UPI PHOTO

tion Act. Except for a few blotches and some pages that were reproduced in unreadable quality, the documents were a complete transcript of the Navy board's formal inquiry into the incident.

The transcript was overloaded with innocuous and irrelevant material. But buried deeply within and at diverse points was the testimony of three sailors about the position of the American flag on

Are We Welcoming The Murderer Of Our Sons?

On June 8, 1967, an American naval vessel, the USS LIBERTY, was attacked by Israeli planes and torpedo boats in international waters off the Sinai coast of Egypt. Thirty-four Americans died, 164 were wounded and $7,644,146 damage was done to the ship.

Although the attack followed six hours of Israeli air surveillance in bright sunshine, during which time the ship's markings and the American flag it flew were clearly visible, the Israelis have always claimed that the attack was an honest mistake on their part.

BUT . . .

As a result of action taken by this Committee under the Freedom of Information Act, we have just obtained from the CIA copies of three intelligence information documents in its files from which the following excerpts are presented for the information of the American people:

- **No. 1, dated 21 June, 1967 Title: "Turkish General Staff Opinion Regarding The Israeli Attack On the USS LIBERTY"**

  "The Turkish Military Attache in Tel Aviv recently returned to Turkey and briefed the Turkish General Staff concerning the Arab-Israeli War. The Turkish General Staff is convinced that the Israeli attack on the LIBERTY was deliberate. It was done because the LIBERTY's commo (communications) activity was having the effect of jamming Israeli military communications . . ."

- **No. 2, dated 27 July, 1967 Title: "Comment On Known Identity of USS LIBERTY"**

  "Discusses attack on USS LIBERTY by Israeli airplanes and torpedo boats. He said that 'You've got to remember that in this campaign there is neither time nor room for mistakes,' which was intended as an obtuse reference that Israel's forces knew what flag the LIBERTY was flying and exactly what the vessel was doing off the coast. (Deletion) implied that the ship's identity was known six hours before the attack but that Israeli headquarters was not sure as to how many people might have escaped the information the LIBERTY was intercepting. He also implied that (deletion) was no certainty on controls as to where the intercepted information was going and again reiterated that Israeli forces did not make mistakes in their campaign. He was emphatic in stating to me that they knew what kind of ship the USS LIBERTY was and what it was doing offshore."

- **No. 3, dated 9 November 1967 Title: "Attack on USS LIBERTY Ordered by Dayan"**

  (Deleted) commented on the planning of the U.S. command ship LIBERTY. They said that Dayan personally ordered the attack on the ship, and that one of his generals adamantly opposed the action and said: 'This is pure murder!' One of the admirals who was present also disapproved the action and it was he who ordered it stopped. (Deletion) believe that the attack against the U.S. vessel is (deletion) due to any political ambitions Dayan may have."

Under the Constitution, Americans have the right to petition their government. Accordingly, we now petition our government—and we ask our fellow-Americans to join us in petitioning that government—to provide publicly the answers to the following questions:

1. If for ten years you have had information indicating that the bombing and torpedoing of the USS LIBERTY—in which 34 Americans lost their lives and 164 others were wounded—was a deliberate attack by Israel on an American naval vessel, why have you kept it secret?
2. If for ten years you have had information indicating that the attack was deliberate, why have you rewarded the attacker with billions of our tax dollars in the form of economic and military aid?
3. If for ten years you have had information indicating that the attack was deliberate, why have you permitted the Israelis to promise to pay $7,644,146 in reparations for the damage done to the ship . . . and never actually pay a cent of it?
4. If for ten years you have had information disclosing the identity of the individual who deliberately ordered the attack which killed or maimed so many of our sons, why have you never demanded that he be brought to justice? While you have been deporting persons suspected of war crimes against Europeans 35 years ago, why have you done nothing about the perpetrator of this heinous war crime against American servicemen ten years ago?"

It is time for the U.S. Government to end its silence on the LIBERTY tragedy. It is time the American people were given the truth!

Published in the public interest by

THE AMERICAN PALESTINE COMMITTEE

Norman F. Dacey, *National Chairman*

P.O. Box 1001 Bridgeport, Conn. 06601

'Liberty' Was 'Deliberate'

the "USS Liberty" at the time of the Israeli attack.

The three sailors were the ones who could respond to the question as to whether the flag was "extended" or drooping when the attack began. All testified that they had instinctively looked up at the flag and that it was extended. All agreed the ship was moving at the time.

Yet, among the reasons cited for the conclusion that the attack was a "mistake" was the observation that the flag hung limply, making it difficult for the Israeli bombers to identify the vessel as American.

In its November 9, 1967 report that Dayan had personally ordered the attack, the CIA said an Israeli general had objected on grounds that "This is pure murder!" An Israeli admiral also disapproved of the order to attack the "USS Liberty" and it was he who ordered it halted after 34 Americans were killed and 164 were wounded, the CIA reported.

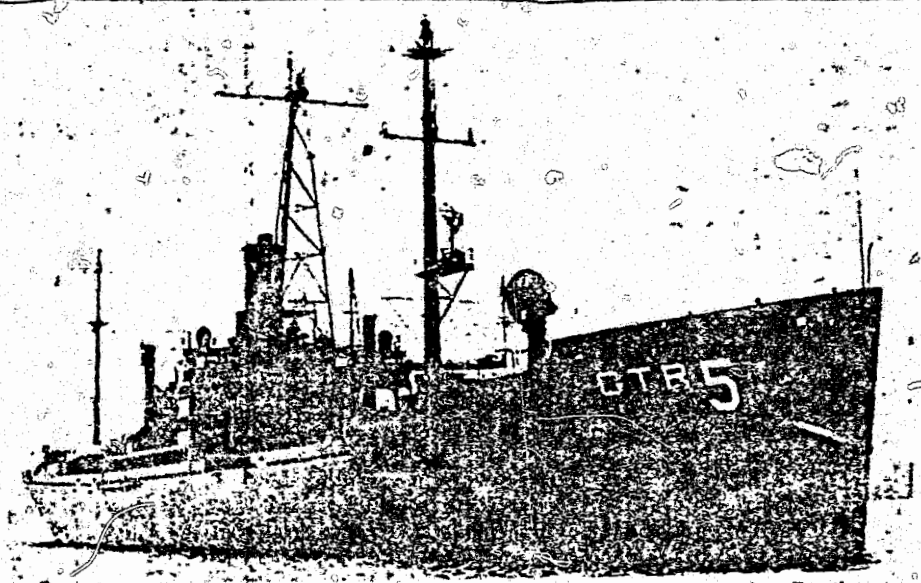
These reports, in the months immediately following the tragedy, were represented to the American Palestine Committee as everything the CIA had on the subject, National Chairman Norman Pacey said in a telephone interview from his Bridgeport, Conn. office.

However, Pacey said, the Associated Press is now saying that the CIA has produced another document attacking the credibility of its own report, Pacey said he has lodged a protest with CIA director Stanfield Turner.

The massive international coverup of the fact that the attack was deliberate now involves the CIA covering up its own findings.

The "USS Liberty" was an unarmed, intelligence-gathering vessel in international waters when it was hit more than 80 times by a combined land and sea attack. It had been scouted earlier that day by Israeli planes. It came at the height of the Six-Day War in which Israel staged a surprise attack on Egypt and expanded her occupied territories.

The ship was well-marked and in motion—consistent with the testimony that the flag was "extended" and had been identified for several hours as Israeli aircraft buzzing over.



The silhouette and distinctive radio and radar arrays distinguished it from any ship in the Egyptian navy. No mistaken identity was possible. "USS Liberty" was painted on her stern. The markings were distinct, large and in English.

Dayan was in Washington when the CIA documents were made public. Dayan had a tight schedule of telling Carter that billions of U.S. tax gifts were not enough to buy any of the President's gentle suggestions that Israel slow down the construction of cities in occupied territories or talk to Palestinians. But Dayan did toss off the comment that the raid was a "mistake." He did not elaborate and the establishment press was fully satisfied.

The Washington "Post" report of the CIA documents consisted of a single paragraph in a Lebanon story on page 14; the Washington "Star" gave a relatively detailed story inside.

Dayan should be tried as a "war criminal," Pacey said.

The coverup had reached into the ranks of the "USS Liberty" crew (SPOTLIGHT, August 28, 1978). The officers and men had agreed to be interviewed and tell of their firm conviction that the attack was deliberate. However, pressure from above forced them to clam up. Not only did they confide that they anticipated discipline and career jeopardy, but some bluntly said they feared being killed.

These discussions of interviews never held came before the documents were made public. This shows that the CIA had reported, in the same year of the attack, that it was deliberate but, subsequently, had joined in the coverup of its own findings.

Behind the Enemy Lines:

Breakthrough in Tax Revolt

EXCLUSIVE TO SPOTLIGHT

By W. Vaughn Ellsworth

The turning point of America's war against the tyrannical oppression of the IRS was the hung-jury San Francisco trial of Charles Rietz for "willful-failure-to-file" on the first of September.

Rietz's jury originally voted 8-4 for acquittal, then 5-5 with two abstentions. The final vote was 7-5 for acquittal. As everyone should know, failure of only one of the 12 jurors to vote for conviction is a victory. In fact, Chuck's victory is the best news in the "true-freedom-movement" since Bill Drexler's unanimous acquittal of "willful-failure-to-file" charges several years ago in Minneapolis.

Chuck has been in the freedom battle for at least the past seven years. He filed several years without filing any return. Then he filed late Fifth Amendment returns for the years previously omitted.

At his trial Chuck's strategy was not to challenge the government's claim that he had earned enough income to be "a-person-required-to file." Rather, his defense was that no matter what he had done, he had reasonable grounds to believe that he was acting within the law. So, consequently, he could not have known "willful," and whatever he did, it was not with "criminal-intent."

VAUGHN ELLSWORTH

Chuck relied upon the 8-0 decision of the U.S. Supreme Court in the Garner case, wherein the court acknowledged that a taxpayer was entitled to claim the Fifth Amendment on a tax return. The court also admitted that one exercising a good-faith claim of the right against self-incrimination—even if mistaken—could not be properly convicted of "willful-failure-to-file."

The judge finally had the Supreme Court's Garner case read into the record in its entirety, and over-ruled the U.S. attorney's objections to jury instructions based on Garner, including a very important one as to the jury's right to decide whether failure to file any return at all could be considered an attempt to assert the Fifth Amendment right against self-incrimination.

As soon as the transcript of Reitz's trial is in the hands of thousands of patriots and tax protestors throughout the country, the beginning of the end of the little man's inability to successfully resist the IRS is in sight. IRS and the "Department of Justice" will never recover. The torpedos have been fired!

Although Chuck had a good attorney who was humble enough to study the experiences of other "tax-rebels," and to profit thereby, any intelligent tax protestor who does his homework should be able to duplicate Rietz's victory—and even improve upon it. And on his own—without having to pay exorbitant lawyer's fees.

The specter of thousands of well-informed citizens going into court to economically battle the IRS can do nothing but strike dismay in the hearts of those bureaucratic bullies. And it couldn't happen to more deserving people.

CHARGE!

The IRS "declined to prosecute [illegible]worth for failure to file based on the Fifth Amendment tax packet of past several years. Instead he was prosecuted principally for a false" return for 1968—a conventional return prepared by a professional accountant who swore he had full-disclosure, and that any possible error on the return would be his, rather than Ellsworth's responsibility. Ellsworth is delighted to answer correspondence from his ocean front government apartment: 19634, Box 7, Terminal Island, San Pedro, Calif. 90731.